

**WASHINGTON STATE HUMAN RIGHTS COMMISSION
MEETING OF
July 25, 2003**

Silverdale, WA

MINUTES

PARTICIPANTS

Commissioners: Charlotte Coker, Chair Pro Tem; Ellis Casson; and Dallas Barnes. A quorum was present.

Staff: Tanya Calahan, Clerk of the Commission, Cheryl Strobert, Program Manager; Regina Hook, Operations Manager; Jean Ciallella, Human Resources (by telephone).

Guests: There were no guests present.

(Audio tape one - side one)

OPENING

The meeting was called to order at 9:00 a.m. by Commissioner Coker.

**APPROVAL OF
MINUTES**

The Commissioners considered the minutes of the June 27, 2003 Commission meeting. Commissioner Barnes requested that the Clerk clarify the minutes on page five, last paragraph. Specifically, the statement regarding the missing Executive Director step in the grievance process should be put in context. Clerk Tanya Calahan will clarify the language in the minutes.

Commissioner Barnes then made a motion to approve the June 27, 2003 minutes with the noted clarification. Commissioner Casson seconded the motion. **MOTION CARRIED.**

ACTION ITEMS

Tanya Calahan reviewed the action items from the June 27, 2003 Commission meeting. The Commissioners discussed the letter of concern sent by the investigator in the Hanby v. Allvest Inc. case. Ms. Calahan asked whether the Commissioners wanted to send another letter of concern even though the investigator sent one out on June 18, 2003.

The Commissioners decided that they want a letter to still come from them in this case as it would carry more weight. They

discussed all letters of this type to come directly from the Commissioners. This would be a change in protocol.

Program Manager Cheryl Strobert spoke about using a technical assistance advisory as an option to advise respondents regarding areas of concern.

Commissioner Coker suggested a policy on sending letters to Respondents when there are practice concerns.

Commissioner Casson asked that the Commissioners consider any decisions on establishing a policy on Commission initiated letters when all Commissioners are present for the discussion.

CASE CLOSURES

Commissioner Barnes made a motion to approve the case list for the period of June 21 - July 18, 2003. Commissioner Casson seconded the motion. MOTION CARRIED.

AGENCY UPDATE

Operations Manager Regina Hook and Program Manager Cheryl Strobert spoke about the reorganization plan and the goals of the plan.

The Executive Director and the rest of the management team provided input regarding the plan and its impacts were negotiated through the Union/Management Committee.

The current plan requires some Equal Opportunity Compliance Specialist (EOCS) positions to move to other offices. One Specialist will stay in Seattle. One will move to Olympia, and one Specialist will take a vacant Equal Opportunity Compliance Investigator 3 position in the Seattle office. Two EOCS positions will move to Eastern Washington.

Ms. Hook explained that having one Specialist in each office will accomplish the goals of the agency. They will spend 50% of their time on education and outreach efforts.

(Audio tape one side two)

A vacant EOCI 3 position exists in the Olympia office. That position won't supervise staff but will lead the Complaint Intake Unit and handle complex discrimination cases. The agency has historically had an EOCI 3 position. There won't be an EOCI three position in the Spokane office as it is no longer needed. That office as well as the Yakima office will now have one EOCS position.

Commissioner Barnes asked about a master plan for the staff reorganization and realignment. Ms. Hook and Ms. Strobert explained that the strategic plan and quality improvement committee recommendations were significant drivers in these staffing changes to better accomplish to the goals of the agency.

There was discussion about staffing changes made in October 2002 and the creation of Operations Manager positions. The Operations Managers were appointed in November 2002 by former Executive Director Sue Jordan and Deputy Director Dariush Khaleghi.

Ms. Strobert explained that the Commissioners set the vision for the agency through the strategic plan. Management then implemented the vision through the staff realignment.

Commissioner Barnes asked about the authority of those on the Union/Management Committee. Ms. Hook, Ms. Strobert, and Jean Ciallella have the authority to negotiate with the union. Ms. Strobert is the chair of the Union/Management Committee.

Commissioner Barnes asked whether these staffing changes are under the Reduction in Force scenario as the RIF process was mentioned in the letters to staff whose positions were moving to other offices. He asked why that language was in the letters to the staff. Ms. Strobert explained why the language of RIFs was used in the letters. There could have been a bumping scenario. The language is required by the Collective Bargaining Agreement and the Merit System Rules.

The original reorganization plan would have caused RIF scenarios to a greater extent. The currently impacted staff had the option of utilizing the RIF register.

Commissioner Coker explained that one of the goals of the strategic plan was to have the least impact on staff; specifically, current staff would not lose their jobs.

EXECUTIVE DIRECTOR SEARCH

The Commissioners discussed conducting a nationwide search for the Executive Director using Executive Search Services (ESS) through the WA State Department of Personnel.

The Commissioners discussed whether the agency has the funding to conduct the search and where the money would come from.

Jean Ciallella of Human Resources joined the Commissioners by

telephone to discuss the search process.

Ms. Ciallella stated that that ESS was used for the last Executive Director search. She explained that the costs could go up for other expenses associated with recruiting an Executive Director. However, the savings for not filling the Executive Director position until January 2004 would provide the funds for the recruitment.

There was discussion about the salary for the Executive Director. Ms. Ciallella explained that the Commissioners can pay the Executive Director within a range but they cannot receive more than \$100 thousand per year.

Commissioner Barnes recommended employing ESS for a full nationwide search.

Commissioner Casson recommended that the candidates come to SeaTac for interviews as it would be more convenient. He stressed the importance of having the funds to support the search.

Commissioner Barnes then made a motion to hire ESS immediately to conduct a full Executive Director search (\$15 thousand) that meets the agency's criteria. Commissioner Coker seconded the motion. Commissioner Coker called for discussion. The Commissioners discussed assessing further expense and needs as they move along in the recruitment process and making any adjustments as necessary. Commissioner Barnes will work with Ms. Ciallella on coordinating the recruitment. Commissioner Barnes will keep the other Commissioners apprised of recruitment activities. The Commissioners decided on a pay range for the position of \$80 thousand – \$100 thousand per year depending on qualifications. MOTION CARRIED.

Commissioner Barnes will provide a status report regarding the search at the August 29, 2003 Commission meeting.

Commissioner Casson recommended that the Commission deal with issues within the agency and that they take the time to deal with those issues before bringing on a new Executive Director.

OTHER ITEMS

Commissioner Coker commented about the apparent resignation of Commissioner Rudy Vasquez. The email from Commissioner Vasquez was addressed to Tanya Calahan and Jean Ciallella. Commissioner Coker recommended that the Commission proceed as if there is still a Governor appointed Chair until official

notification of Commissioner Vasquez resignation is received.

Commissioner Casson suggested that Commissioner Coker contact the Governor's office to get official word from the Governor's office that they received Commissioner Vasquez's resignation. Commissioner Coker will contact the Governor's office to see if they received an official resignation letter.

(Audio tape two – side one)

The Commissioners reviewed the draft press release regarding the appointment of Dariush (D.K.) Khaleghi as the Acting Executive Director.

After review and comments the Commissioners approved the press release for immediate distribution.

EXECUTIVE SESSION

At 11:15 a.m., Commissioner Coker announced that the Commissioners will go into executive session to review the performance of an employee. The executive session will end at 11:30 a.m.

The executive session concluded at 11:30 a.m. Commissioner Coker announced that the Commissioners considered an evaluation that would have a bearing on the salary of an employee. Commissioner Barnes made motion that the Commissioners adjust the Acting Executive Director's salary to \$78 thousand per year for the interim period effective July 16, 2003. Commissioner Casson seconded the motion. MOTION CARRIED.

Clerk of the Commission Tanya Calahan will notify Jean Ciallella of Human Resources regarding the adjusted Acting Executive Director salary.

COMMISSION CLERK JOB DESCRIPTION

The Commissioners considered the Commission Clerk job description including the position title and job responsibilities.

The Commissioners discussed the reporting structure for the Clerk position; specifically, whether the Clerk should report directly to the Commissioners or the Executive Director. Tanya Calahan shared that in the past the Clerk has reported directly to the Commissioners and the Executive Director.

Commissioner Casson stated that the Clerk should be answerable directly to the Executive Director. He also stated that the Clerk's role on the management team should be as an ex officio non voting

member serving as the Commissioners' liaison.

Ms. Calahan stated that it was important for the Clerk to perform duties necessary to the position without interference.

Commissioner Coker stated that if there is a controversy or dispute about whether information should go to the Commissioners, then the matter should be brought to the Commissioners' attention.

The Commissioners discussed adopting the official title of Executive Assistant to the Commission instead of Board Secretary for the Clerk position with a working title of Clerk of the Commission.

Commissioner Casson made a motion to adopt the updated job description for the Clerk with the title of Executive Assistant to the Commission. Commissioner Barnes seconded the motion.
MOTION CARRIED.

There was discussion about increment raises and if the Clerk position received one. Ms. Calahan commented that the Clerk position was changed to Exempt Management Service in January 2003, with a pay increase. She recommended that the Commissioners may want to look at the salaries of other staff members in the agency.

Commissioner Casson requested that staff send the Commissioners a list of salaries and position titles for all staff in the agency.

Commissioner Casson requested that the Commissioners get all announcements for position vacancies across the board within the agency.

Commissioner Coker brought up the correspondence guidelines memo that Commissioner Vasquez sent to the Clerk of the Commission. The full Commission did not agree upon the process. She stated that Commissioner Callner made three suggestions regarding the protocol. She requested that all Commissioners review the protocol and provide input.

Commissioner Coker requested that Ms. Calahan provide a copy of the flip chart notes from the Commissioners' workshop to Carol Jolly of the Governor's Executive Policy Office.

Commissioner Casson requested that the Commissioners discuss the remaining 2003 Commission meetings at the August 29, 2003 Commission meeting.

Commissioner Casson expressed appreciation to Acting Executive Director Dariush Khaleghi for sending Ms. Strobert and Ms. Hook to the Commission meeting in his absence.

ADJOURNMENT

There being no further business, the meeting adjourned at 1:53 p.m.

Respectfully submitted,

Tanya Y. Calahan
Clerk of the Commission

ACTION ITEMS
JULY 25, 2003 COMMISSION MEETING

1. **Item:** Send a letter of concern from the Commissioners to the Respondent in the case of Hanbey v. Allvest, Inc.

Status: This item is not yet completed. An explanation will be provided at the August 29, 2003 Commission meeting.
2. **Item:** Provide staff salary and position information to the Commissioners.

Status: This was done on August 8, 2003.
3. **Item:** Tanya Calahan will provide copies of flip chart notes from the Commissioners' July 15-16, 2003 workshop to Carol Jolly of the Governor's Executive Policy office.

Status: This was done on July 29, 2003.
4. **Item:** Tanya Calahan will make the necessary correction to the June 27, 2003 minutes as detailed on page one.

Status: Ms. Calahan made the correction to the minutes as requested.